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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. CR 16-00211-LHK
	)	
Plaintiff,	)	UNAPPOSED MOTION FOR A HEARING TO
	)	DETERMINE WHETHER DR. GANESH IS
v.	)	COMPETENT TO STAND TRIAL
	)	
VILASINI GANESH,	)	The Hon. Lucy H. Koh
	)	
Defendant.	)	
	)	
	)	
	)	

**I. INTRODUCTION**

The United States hereby respectfully moves this Honorable Court, pursuant to Title 18, United States Code, Section 4241(a) for a hearing to determine whether the defendant, Dr. Vilasini Ganesh, is competent to stand trial.

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**II. THERE IS REASONABLE CAUSE TO CONCLUDE THAT DR. GANESH'S MENTAL HEALTH MAY AFFECT HER ABILITY TO STAND TRIAL**

Trial in this matter is set to begin on October 23, 2017. Ahead of trial, Dr. Ganesh filed a Notice of Insanity Defense pursuant to Federal Rules of Criminal Procedure 12.2(a), thereby placing the United States on notice that she may rely on the defense of insanity at the time of the alleged offense and may introduce expert testimony relating to a mental disease or defect or some other mental condition of the defendant bearing upon the issue of the defendant's guilt. ECF No. 31. Additionally, at multiple bail review hearings before Magistrate Judge Cousins, counsel for Dr. Ganesh indicated that Dr. Ganesh "may not be" competent, yet also expressed a reluctance to determine whether she is incompetent because a finding of incompetence may lead to a period of rehabilitation efforts by the Bureau of Prisons. *See* ECF Nos. 42 and 43 (minute entries). Subsequently, the United States sought, and the Court ordered, Dr. Ganesh to appear for an examination of her mental health. ECF Nos. 38 and 40. On May 31, Dr. Ganesh was examined by Dr. Anna Glezer, and Dr. Glezer stated her conclusions in a report. The United States filed this report under seal on June 22 and provided a copy to counsel for the defendants. ECF Nos. 44 and 45.

Both Dr. Ganesh's pretrial filings and the conclusions reached by Dr. Glezer, which are fully articulated in the under seal filing, support this request for a competency hearing. As a result, there is a reasonable cause to believe that the defendant may be presently suffering from a mental disease or defect rendering her mentally incompetent. *See* 18 U.S.C. 4241(a) (describing standard). Additionally, counsel for Dr. Ganesh has indicated that he does not oppose the United States' request for a hearing.

Accordingly, it is respectfully requested that the Court set a hearing date to determine whether Dr. Ganesh is competent to stand trial, with the dates to be determined at the Status Conference set before the Court on June 28, 2017.

DATED: June 23, 2017

Respectfully submitted,

BRIAN J. STRETCH  
United States Attorney

/s/  
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